

Amendments to the Drawings

Please amend drawing sheet 1. For each sheet of drawings that has been amended, Applicants submit herewith a marked-up copy labeled as “Annotated Marked-Up Drawing Sheet” and a replacement sheet labeled as “Replacement Sheet.” All changes to the drawings are described in detail below.

Sheet 1 – Fig. 2

Added reference number 122 to indicate the lubricant chamber (See Appln, amended paragraph 58) and designation of the hydrodynamic wedging angle 158.

REMARKS

Responsive to the Office Action dated September 12, 2005, Applicants have studied the Examiner's comments and the cited art. Claims 1-41 are currently pending. Following entry of this Amendment and Response, claims 1-22 and 24-42 are pending. In view of the following remarks, Applicants respectfully submit that the application is in condition for allowance.

Information Disclosure Statement

Applicants includes with this Amendment and Response an Information Disclosure Statement by Applicant on Form PTO/SB/08A and includes herewith the appropriate fee under 37 CFR 1.17(p) of \$180. Applicants submit a copy of the foreign patent documents

Drawings Objection

The drawings are objected to under 37 CFR 1.83(a) because the claimed features of the sealed partition, lubricant chamber, and hydrodynamic wedging angle must be shown in the drawings or canceled from the claims.

Applicants have amended claims 1, 32 and 33 to delete the reference to “sealed partition.”

Applicants have amended drawing sheet 1 to accurately correspond to the specification. Fig. 1 has been amended to include reference number 122 for the lubricant chamber and designation of the hydrodynamic wedging angle 158. Applicant submits a marked-up copy of drawing sheet 1 labeled as “Annotated Marked-up Drawing” and a replacement sheet labeled as “Replacement Sheet.” Applicant submits that no new matter has been introduced.

Amendments to the Specification

Applicants have amended paragraph [0003] of the specification to capitalize the trademark KALSI SEALS and to properly use it with the associated goods.

Applicants have amended paragraph [0056] to correct punctuation.

Applicants have amended paragraph [0058] to include proper reference to the “lubricant chamber 122.”

Applicants have amended paragraph [0070] to include proper reference to the “hydrodynamic wedging angle 158.”

Applicants submit that no new matter has been introduced.

Claim Rejections Under 35 U.S.C. 112

Claims 8, 14, 19B and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicants regard as the invention.

With respect to claim 8, the Examiner states that it is unclear how the energizer can define the static sealing surface when it does not coincide with the sealing surface. Applicants refer the Examiner to the alternate embodiments of Figs. 8 and 9 in which the energizer 163 coincides with the static sealing surface 131.

With respect to claims 14 and 35, the Examiner states that it is unclear what is meant by “varying substantially in time.” Applicant has amended claims 14 and 35 by deleting this language and adding that the first seal end is wavy. Support for this amended language is found in paragraph [0098] and Fig. 9.

With respect to claim 19, the Examiner states that it is unclear as to what “said depth dimension (D) varying substantially in time with said position of said at least one hydrodynamic inlet curvature” refers to. Claim 19 has been amended to include that the magnitude of the depth dimension (D) varies substantially locally in time with the varying width (W). Support for this amended language is found in paragraph [0081].

Applicants respectfully submit that the Section 112 rejections have been traversed.

Applicants have also amended claim 29 because there was no antecedent basis for “said dynamic sealing footprint.”

Double Patenting Rejection

Claims 1-21, 23-39, and 41 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19, 21-24, 26, 29, 31-34, and 36 of U.S. Patent 6,767,016.

Applicants have canceled claim 23 and submit herewith a Terminal Disclaimer along with the appropriate fee under 37 CFR 1.20(d) of \$65 (small entity) to overcome the double patenting rejection.

Objected to Claims

Claims 22 and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant submits that independent claims 1 and 33 from which claims 22 and 40 depend, respectively, are allowable as a result of the terminal disclaimer submitted herewith. Thus, dependent claims 22 and 40 are also now allowable.

Claims 34, 36, 37, 39, and 41 are objected to under 37 CFR 1.75 as being a substantial duplicate of claims 2, 17, 20, 21, and 24, respectively.

Applicants have amended claims 34, 36, 37, 39 and 41 to depend from independent claim 33. Applicants respectfully submit that claims 34, 36, 37, 39 and 41 are now allowable.

New Claim 42

Applicants have added new independent claim 42. Applicants submit that no new matter has been added.

Conclusion

Applicants respectfully submit that all issues and rejections have been adequately addressed, that all pending claims are allowable, and that the case should be advanced to issuance.

If the Examiner has any questions or wishes to discuss the claims, Applicants encourage the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



Douglas W. Rommelmann
Reg. No. 34,418

Date: 10/13/05

ANDREWS KURTH LLP
600 Travis, Ste. 4200
Houston, Texas 77002
Telephone: (713) 220-4697
Facsimile: (713) 238-7187
drommelmann@andrewskurth.com
Customer No. 23,444

Annotated
Marked-up Drawing

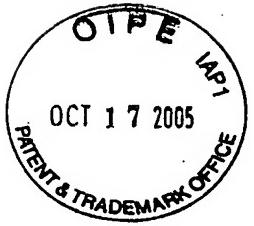


FIG. 1
(prior art)

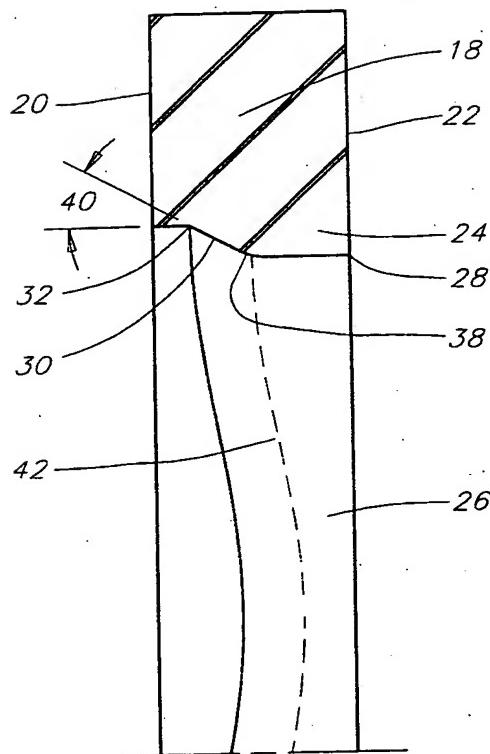
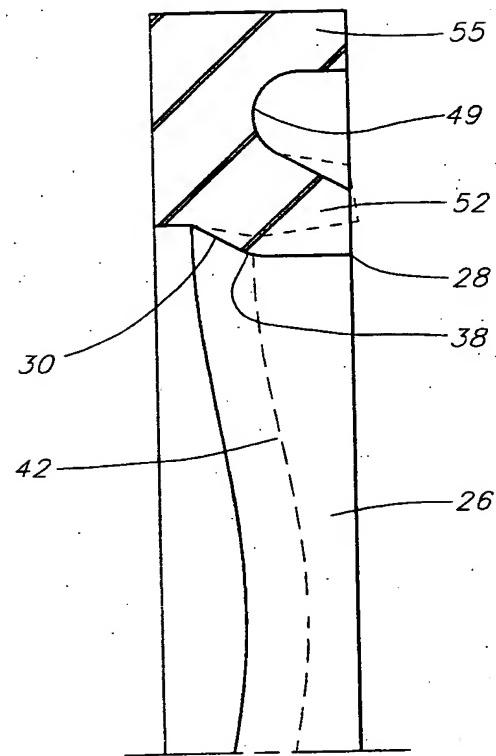


FIG. 1A
(prior art)



BEST AVAILABLE COPY

FIG. 2

